



U.S. Department of Justice

Tax Division

Trial Attorney: Steven S. Tennyson
Attorney's Direct Line: 202-307-0872
Fax No.: 202-514-5238
Steven.Tennyson@usdoj.gov

Please reply to: Civil Trial Section, Northern Region
P.O. Box 55
Washington, D.C. 20044

REZ:DMK:SSTennyson
DJ 5-52-20275
CMN 2017102332

February 15, 2019

Via ECF

Hon. Peggy Kuo
United States District Court
Eastern District of New York
225 Cadman Plaza East,
Brooklyn, NY 11201

Re: *United States of America v. Moshe Lax, et al.*,
1:18-cv-04061-ILG-PK

Dear Judge Kuo:

I represent the plaintiff United States of America in this action. I write to report on the status of discovery pursuant to the Court's Order dated November 7, 2018.

On December 21, 2018, the appropriations act that had been funding the United States Department of Justice expired and appropriations to the Department lapsed. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342. Effective January 25, 2019, Congress passed legislation restoring funding to the Department of Justice. Accordingly, the government was closed for 35 days, limiting the parties' ability to advance the progress of discovery.

The parties have exchanged initial disclosures, document requests, and interrogatories. In light of the government shutdown, however, the parties have agreed to extend the deadline to respond to these requests until March 1, 2019, or a later agreed-upon date.

- 2 -

All parties have been provided with this letter, and have consented to the content of this status report (with the exception of Moshe Lax who did not object to the filing of this status report).

Respectfully submitted,

/s/ Steven S. Tennyson

STEVEN S. TENNYSON

Trial Attorney

Civil Trial Section, Northern Region

- 3 -

Certificate of Service

I hereby certify that on this 15th day of February, 2019, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification to all parties that have entered an appearance.

/s/ Steven S. Tennyson

STEVEN S. TENNYSON

Trial Attorney

United States Department of Justice, Tax Division